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c 45 Cancer Remedies Act

Ontario

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CHAPTER 45

The Cancer Remedies Act

1. In this Act,

Interpre-
tation.

(a) "Commission" means The Commission for the Investigation of Cancer Remedies appointed under this Act;

(b) "Minister" means Minister of Health. 1938, c. 4, s. 2.

2.—(1) The Lieutenant-Governor in Council may appoint a commission to be known as "The Commission for the Investigation of Cancer Remedies" which shall be a body corporate and the member or members of the Commission shall hold office during the pleasure of the Lieutenant-Governor in Council.

Commis-
sion, ap-
pointment of.

(2) Where there is more than one member of the Commission,

Chairman;
quorum.

(a) the Lieutenant-Governor in Council may appoint one of the members of the Commission to be chairman;

(b) a majority of the members of the Commission shall constitute a quorum and a majority vote of the members present at any meeting of the Commission shall determine any question. 1938, c. 4, s. 3.

3.—(1) The objects of the Commission shall be to investigate, approve, disapprove, encourage or report upon any substance or method of treatment which is believed to be, or likely to be, or is advertised, held out to be or used as a remedy for cancer, and the Commission may take such measures as it deems necessary to accomplish such objects.

Objects of
Commission.

(2) The funds of the Commission shall consist of any moneys received by it from any source, including any moneys appropriated for its use by the Parliament of Canada, the Legislature or the King George V Silver Jubilee Cancer Fund, and the Commission may disburse, expend or otherwise deal with any of the funds of the Commission as it deems proper.

Funds.

Commission
may enter
into agree-
ments.

(3) Subject to the approval of the Lieutenant-Governor in Council, the Commission may enter into agreements with any university, medical association, hospital or other association, corporation or person for the purpose of carrying out the objects of the Commission.

Officers,
clerks and
servants.

(4) The Commission may employ officers, clerks and servants and may engage the services of experts and other persons and may pay any such officer, clerk, servant, expert or other person such remuneration as it deems proper out of the funds of the Commission.

Remunera-
tion of
members
of
Commission.

(5) The members of the Commission shall be paid such remuneration out of the funds of the Commission as the Lieutenant-Governor in Council may determine. 1938, c. 4, s. 4.

Commission
to furnish
financial
statement.

4. The Minister may require the Commission to furnish him with a financial statement showing all moneys received and disbursed by the Commission and may require the provincial Auditor or any other qualified auditor to conduct an audit of the funds of the Commission and the cost of such audit shall be paid out of the funds of the Commission. 1938, c. 4, s. 5.

Submission
of samples
of treatment.

5.—(1) The Commission may require any person who advertises, offers for sale, holds out, distributes, sells or administers either free of charge or for gain, hire or hope of reward, any substance or method of treatment as a remedy for cancer to submit samples of such substance or a description of such treatment and samples of any substance used with such treatment to the Commission together with the formula of such substance and such other information pertaining to such substance or method of treatment as the Commission may determine. 1938, c. 4, s. 6 (1).

Information
not to be
divulged.

(2) The Commission shall not divulge any information relating to the composition or formula of any substance received by it, except to a person authorized by the Commission to investigate such substance. 1938, c. 4, s. 6 (2); 1940, c. 28, s. 5 (1).

Oath of
secrecy.

(3) The Commission may administer an oath in such form and manner as it may determine, binding any such person not to divulge information furnished to him. 1940, c. 28, s. 5 (2).

Investigation
of
treatment.

6. Where any substance or method of treatment is submitted to the Commission under section 5, the Commission

shall cause such substance or method of treatment to be investigated, and upon the conclusion of such investigation, shall make a determination or finding as to the merit or value as a remedy for cancer of such substance or method of treatment; provided that the Commission may at any time before concluding its investigation make such determination or finding of a temporary nature as it deems proper, and every determination or finding of the Commission shall be recorded in the minutes of the Commission. 1938, c. 4, s. 7.

7. The Commission shall make a report of any determination or finding relating to any substance or method of treatment to, Reports.

(a) the Minister; and

(b) the person who has submitted such substance or method to the Commission for investigation,

and the Minister may publish such report in such manner as he may deem proper. 1938, c. 4, s. 8.

8. No action in libel or slander or otherwise shall lie or be instituted against the Minister, the Commission, any member of the Commission or any officer, clerk or servant employed by the Commission or any expert or other person engaged by the Commission whether in the public or private capacity of such Minister, member, officer, clerk, servant, expert or other person in respect of any act or omission in connection with the administration or carrying out of this Act. 1938, c. 4, s. 9. Action
against
Commission.

9. Every person who violates any of the provisions of this Act or who fails or neglects to obey any order, direction or requirement of the Commission shall be guilty of an offence and for a first offence shall be liable on summary conviction to a penalty of not less than \$100 and not more than \$500, and in default of payment of any such penalty, to imprisonment for a term of not more than thirty days, and for a second or subsequent offence shall be liable on summary conviction to a penalty of not less than \$500 and not more than \$2,500, and in default of payment of any such penalty, to imprisonment for a term of not more than six months. 1938, s. 4, s. 10. Penalty.

